

Serial No.: 10/752,468

IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE**RECEIVED
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Inventor(s) John D. Brandt, et al.
Serial No. 10/752,468 Group Art Unit: 2616
Filing Date January 6, 2004
Docket No 1999-0259CON Examiner: Abelson, Ronald B

Title METHOD FOR REDUCING DATA LOSS IN AUTOMATICALLY
RE-CONFIGURED ATM NETWORKS

COMMISSIONER FOR PATENTS
P.O. BOX 1450
ARLINGTON, VA 22313-1450

**TERMINAL DISCLAIMER TO OBVIATE A
DOUBLE PATENTING REJECTION OVER A PRIOR PATENT**

SIR:

The owner, AT&T Corp., of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior United States Patent No. 6,700,870. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later expires for failure to pay a

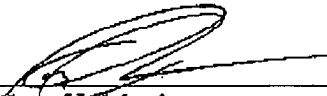
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maintenance fee, is held un enforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

A terminal disclaimer fee under 37 C.F.R. § 1.20(d) is included.

The undersigned is an attorney of record.

Respectfully submitted,

By 
Gary H. Monka
Reg. No. 35,290
Telephone: (908) 707-1573

Canavan & Monka LLC
62 Grove Street
Somerville, NJ 08876

Date: 1/31/08

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